

REMARKS

The Office Action contained rejections of claims 1-14 and 17-20 under 35 USC §102 and 103. Claims 15-16 were objected to as based on a rejected base claim. Each of these matters will be responded to below.

a. Response to §102 and §103 Objections

Claims 1-9 were rejected as being anticipated by McCarthy (US 4,917,677). Claims 1-3, 5 and 8-10 were rejected as being anticipated by Kelly (US 4,097,169). Claims 11-14, 17-19 and 20 were rejected as being obvious over Kelly in combinations with the following: Cameron (US 5,388,313), Holsey (US 969,695), Youngblood (US 714,348).

In response to the rejections, Applicants have amended Claim 1 to include limitations that are not taught or suggested by the cited references. Specifically, claim 1 has been amended to recite that the jaw portions of the clip assembly have contoured surfaces comprising

“a plurality of transverse inter-fitting ridges formed on said first and second jaw portions, said inter-fitting ridges having rounded contours so as to avoid damaging sheet material of said tarp...”

As it is explained at page 11 of Applicants' specification, the rounded (e.g., undulating or sinusoidal) contour of the ridges, as compared with sharp-edged teeth, minimizes damages to the fibers or other material and therefore allows higher engagement pressures to be exerted without fear of damaging the tarp.

None of the cited references show inter-fitting ridges having rounded contours. Cameron '313 was cited in the Office Action as showing inter-fitting ridges, however, the ridges shown by Cameron '313 are clearly sharp-edged.

Accordingly, since the cited references, taken alone or in combination, do not teach or suggest a clip assembly including transverse inter-fitting ridges having rounded contours, Applicants respectfully submit that amended claim 1 is patentably distinct over the references. Claims 2-11 and 15-19 depend from and include the limitations of claim 1, and therefore are likewise distinct over the cited references.

Dependent claims 12-14 have been cancelled consistent with the amendments to claim 1. Independent 20 has also been cancelled.

d. New claims

Original claims 15 and 16 were objected to as being dependent upon a rejected base claim, but were stated to allowable if rewritten in independent form including all of the limitations of the base claim and intervening claims. New claims 21-22 correspond to claims 15-16 rewritten in independent form including all the limitations of the base claim (original claim 1) and intervening claim (original claim 10). New claims 21-22 are therefore believed to be allowable.

New claims 23-24 have been added to secure Applicants the full measure of protection to which they are entitled. New independent claim 23 recites that the assembly is molded of rigid, resiliently flexible material, and includes "at least one stop member positioned between said jaw portions and said live hinge" that prevents the mid-areas of the jaw portions from collapsing towards one another beyond a predetermined minimum spacing as the adjustment screw is tightened. This feature prevents distortion of the assembly that might cause the forward ends of the jaw portions to spread apart and begin losing grip. New dependent claim 24 recites that the stop member comprises a raised projection on a shaft portion of the adjustment screw.

A clip assembly having a stop member as required by new claims 23-24 is neither taught or suggested by the cited references. Accordingly, Applicant respectfully submits that new claims 23-24 are patentably distinct thereover.

e. Conclusion

Applicant respectfully requests reconsideration of the present application in view of the amendments and remarks set forth herein. It is believed that the above-referenced claims are now in condition for allowance. If there is any matter that can be expedited by consultation with Applicant's attorney, such would be welcome. Applicant's attorney can normally be reached at the telephone number given below.

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Signed at Bellingham, County of Whatcom, State of Washington this 2nd day of October
2002.

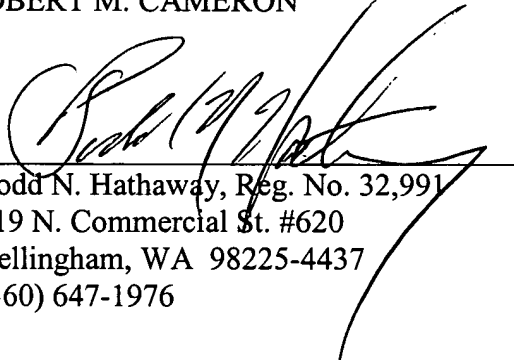
Respectfully submitted,

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CERTIFICATE OF MAILING (37 CFR 1.8a)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on the date shown below.

02 Oct. 2002

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Marilee S. Wotten
(Print name of person mailing paper)

Marilee S. Wotten
(Signature of person mailing paper)

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

2. (amended) an adjustable clip assembly, comprising:

10 first and second, opposing jaw portions, said jaw portions having first ends that are joined together and second ends that are spread apart so as to define a receiving area[; and] said jaw portions having first and second contoured surfaces for engaging sheet material of a tarp positioned within said receiving area, said contoured surfaces comprising:

15 a plurality of transverse interfitting ridges formed on said first and second jaw portions, said interfitting ridges having rounded contours so as to avoid damaging said sheet material of said tarp; and

a finger-operable adjustment screw interconnecting said first and second jaw portions, for adjustably urging said jaw portions into gripping engagement with an article positioned within said receiving area.

20 15. (amended)The clip assembly of claim [14] 1, wherein said contoured surfaces further comprise:

surface texturing formed on at least one of said ridges for gripping said sheet material of a tarp.

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